

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

|                               |   |               |
|-------------------------------|---|---------------|
| NATIONAL UNION FIRE INSURANCE | ) |               |
| COMPANY OF PITTSBURGH, PA     | ) | No. 3-10-0743 |
|                               | ) |               |
| v.                            | ) |               |
|                               | ) |               |
| SMALL SMILES HOLDING          | ) |               |
| COMPANY, LLC                  | ) |               |

ORDER

The plaintiffs motion to reschedule initial case management conference (Docket Entry No. 12) is GRANTED.

The initial case management conference, scheduled by order entered August 11, 2010 (Docket Entry No. 9), on September 16, 2010, is RESCHEDULED to **Tuesday, September 14, 2010, at 1:00 p.m.**, in Courtroom 764, U.S. Courthouse, 801 Broadway, Nashville, TN.

The plaintiff sought to reschedule the initial case management conference so that national counsel from New York could attend. The Court notes that no out of state counsel has entered an appearance on behalf of the plaintiff. In addition, out of state counsel is not required to attend the initial case management conference as long as local counsel is knowledgeable about the case and has the authority to commit to scheduling matters.

Regardless, as provided in the August 11, 2010, order, prior to the initial case management conference, counsel for the parties shall meet and confer pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, and shall, to the extent possible, exchange initial disclosures pursuant to Rule 26(a)(1).

Prior to the initial case management conference, counsel for the parties shall also confer and shall prepare a proposed, joint initial case management order, including the parties' respective theories of the case, issues resolved and in dispute, proposed scheduling for the progression of the case, and any other relevant matters provided in Local Rule 16.01(d)(1)(c) and 16.01(d)(2). If the

parties anticipate discovery of electronically stored information, they shall include in the proposed initial case management order the methodology for such discovery. See Administrative Order No. 174, entered July 9, 2007.

Counsel shall e-file the proposed order prior to the initial case management conference.

All counsel appearing at the initial case management conference shall bring with them their calendars and be cognizant of the calendars of any attorneys not appearing at the initial case management conference whose schedules are relevant to the scheduling in this case.

The Clerk is directed to mail a copy of this order to the defendant, Attn: Legal Department, 618 Church Street, Suite 520, Nashville, TN 37219, and c/o Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware 19801, both by regular, first class mail (only).

In addition, the plaintiff shall serve a copy of this order upon the defendant or its counsel.

It is so ORDERED.

  
JULIET GRIFFIN  
United States Magistrate Judge